

**FILED**

AUG 14 2008

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIAProb 12  
(Rev. 3/88)

**UNITED STATES DISTRICT COURT  
For The  
WESTERN DISTRICT OF PENNSYLVANIA**

**U.S.A. vs. ERNEST JOSEPH OEHM****Docket No. 04-00026-001 ERIE**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of ERNEST JOSEPH OEHM, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 9th day of December 2004, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm or destructive device.
- The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug urinalysis within 15 days after being placed on supervision and at least two periodic tests thereafter, as directed by the probation officer.
- The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- The defendant shall participate in a program of testing and, if necessary treatment for alcohol and substance abuse as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.
- The defendant shall be placed on home detention for a period of six months, to commence at the direction of the Probation Office.
- The defendant shall pay \$40 in restitution to the United States Postal Service, in full immediately.
- The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule.
- The defendant shall provide the probation officer with access to any requested financial information.
- The defendant shall pay to the United States a special assessment of \$100.

12-09-04: Burglary of a United States Post Office; Sentenced to 10 months' custody of the Bureau of Prisons, to be served consecutive to Forest County Court of Common Pleas Docket Nos. 80 of 2003 and 81 of 2003, to be followed by 3 years' supervised release.

01-18-08: Released to supervision; Currently supervised by U.S. Probation Officer Specialist David J. Conde

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR  
CAUSE AS FOLLOWS:**

Your Petitioner reports that since his release in January 2008, Mr. Oehm has been employed a total of three days. Mr. Oehm has also failed to report to the Probation Office as directed and has not submitted

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a written monthly report since April 2008. On April 15, 2008, Mr. Oehm was instructed to call the Probation Office every Monday morning. Mr. Oehm only called on May 19, 2008. Mr. Oehm was referred to Deerfield Drug and Alcohol Services for drug and alcohol outpatient counseling in February 2008 by state parole. Mr. Oehm was discharged unsatisfactorily in June 2008 for failure to attend sessions. Mr. Oehm also tested positive in June 2008 for marijuana when he was tested by state parole authorities. On July 22, 2008, Mr. Oehm admitted to the Probation Officer his continued use of marijuana, despite drug testing by this office and the state authorities. As a result, Mr. Oehm was placed, by the Probation Office on July 23, 2008, into the inpatient drug and alcohol program located at Gaudenzia/Crossroads.

On June 25, 2008, a vehicle stop was initiated by the Pennsylvania State Police, Tionesta, Pennsylvania, barracks, and it was discovered that Mr. Oehm was operating the vehicle. Mr. Oehm was cited for the following: Driving Without a License, Driving an Unregistered Vehicle, and Failure to Use Seatbelt System. On July 8, 2008, Mr. Oehm pled guilty to the traffic citations and was sentenced by District Justice George F. Gregory to pay fines and costs. It should be noted that Mr. Oehm never informed the Probation Office within 72 hours of having contact with law enforcement.

On July 25, 2008, Mr. Oehm signed a Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Time of Supervision (enclosed), in which he agreed to the following modification of supervision: The releasee shall participate in the United States Probation Office and Bureau of Prisons' Comprehensive Sanctions Center Program, until released by the program review team, for a period not to exceed 180 days.

PRAYING THAT THE COURT WILL ORDER that the probationer participate in the United States Probation Office and Bureau of Prisons' Comprehensive Sanctions Center program until released by the program review team for a period not to exceed 180 days.

# ORDER OF COURT

Considered and ordered 15<sup>th</sup> day of August, 2008 and ordered filed and a part of the records in the above case.

\_\_\_\_\_  
 U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 11, 2008

David J. Conde  
 David J. Conde  
 U.S. Probation Officer Specialist  
Stephen A. Lowers  
 Stephen A. Lowers  
 Supervising U.S. Probation Officer

Place: Erie, PA